

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

JULIUS LINSON,)	
)	
<i>Plaintiff</i>)	
)	
v.)	CAUSE NO. 3:05-CV-399 RM
)	
JO ANNE B. BARNHART,)	
COMMISSIONER OF SOCIAL SECURITY,)	
)	
<i>Defendant</i>)	

OPINION and ORDER

Plaintiff Julius Linson, proceeding *pro se*, submitted a letter [Docket No. 3] asking the court to help him find a lawyer to represent him in this matter. For the following reasons, his request for assistance must be denied.

Although claimants have a statutory right to counsel at the administrative disability hearing, 42 U.S.C. § 406 and 20 C.F.R. §404.1700, civil litigants have neither a constitutional nor a statutory right to appointed counsel. Klein v. Perry, 216 F.3d 571, 576-77 (7th Cir. 2000). The court may exercise its discretion to appoint counsel, but before doing so must consider whether: (1) plaintiff has sought an appointment of counsel; (2) plaintiff has made a reasonable attempt to secure private counsel; (3) other measures short of appointing counsel are appropriate; (4) the case is so difficult that it merits such an appointment; and (5) an appointment of counsel would provide a substantial benefit to the court or the parties. *Id.* at 577 (citing Luttrell v. Nickel, 129 F.3d 933, 936 (7th Cir. 1997)).

Mr. Linson did not provide any information about his efforts to obtain counsel (*i.e.*, who he contacted, when he contacted them, and why they declined his request for assistance). Absent such information, the court cannot find that his efforts to secure an attorney were reasonable. Accordingly, Mr. Linson's request for appointment of counsel [Docket No. 3] is DENIED.

Mr. Linson shall have to and including July 20, 2006 within which to file his opening brief challenging the agency's final decision. The timing of any response and reply shall be governed by Local Rule 7.3.

SO ORDERED.

ENTERED: June 5, 2006

/s/ Robert L. Miller, Jr.
Chief Judge, United States District Court
Northern District of Indiana